

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:11-CV-191-D

TERESA SHIELDS-ROBERSON,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

ORDER

On December 26, 2012, Magistrate Judge Webb issued a Memorandum and Recommendation (“M&R”) [D.E. 31]. On January 9, 2013, Magistrate Judge Webb issued an amendment to the M&R [D.E. 32]. In the M&R, Judge Webb recommended that plaintiff’s motion for judgment on the pleadings [D.E. 24] be granted, that defendant’s motion for judgment on the pleadings [D.E. 26] be denied, and that the action be remanded to the Commissioner. Neither party objected to the M&R or the amendment.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration in original) (emphasis and quotation omitted). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Id. (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 31–32]. Plaintiff’s motion for judgment on the pleadings [D.E. 24] is GRANTED, defendant’s motion

for judgment on the pleadings [D.E. 26] is DENIED, and the action is REMANDED to the Commissioner under sentence four of 42 U.S.C. § 405(g).

SO ORDERED. This 30 day of January 2013.


JAMES C. DEVER III
Chief United States District Judge